

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ERNEST LOUIS HALFORD #365751,

v.
Plaintiff,

ORDER

RICK RAEMISCH: D.O.C.,
Gov. JAMES DOYLE and
Current: H.F.S. - Dir.,

10-cv-206-slc

Defendants.

On April 30, 2010, I entered an order giving plaintiff until May 21, 2010 to submit a trust fund account statement that covers the six-month period immediately preceding the filing of his complaint so that I can determine whether he is indigent and if he is, assess an initial partial payment of the \$350 filing fee. In response to the order, plaintiff has filed several one-month statements, dkt. 7, and two inmate request forms, dkt. 9, that appear to be supplements to the complaint. In addition, plaintiff has submitted pages from this court's form for requesting leave to proceed without prepayment of fees and costs, dkt. 8, and a copy of his six-month trust fund account statement, dkt. 10.

From plaintiff's six-month trust fund account statement, it appears that plaintiff presently has no means with which to pay an initial partial payment of the \$350 fee for filing his complaint. However, plaintiff should be aware that he is obligated to pay the \$350 filing fee, even if this court determines that he will not be permitted to proceed with his complaint *in forma pauperis* and even if he does not presently have funds with which to pay the fee. 28 U.S.C. § 1915(b)(1). His account will be monitored and the fee must be taken in monthly installments when the funds exist.

Accordingly, IT IS ORDERED that plaintiff's complaint and his supplements are taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915(e)(2) to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made.

Entered this 14th day of May, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge